

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

VICKY CLOSE,

Plaintiff,

v.

PENNEY OPCO LLC et al.,

Defendant.

CASE NO. 3:24-cv-05756-DGE

ORDER ON MOTION TO WAIVE
PHYSICAL OFFICE
REQUIREMENT (DKT. NO. 14)

This matter comes before the Court on Defendant Penney Opco LLC's ("Penney") motion to waive the requirements of Local Rule 83.1(d)(2) insofar as it requires its counsel, Robert J. Guite, to maintain a physical office within the geographic boundaries of the Western District of Washington to serve as Penney's local counsel. (Dkt. No. 14.) Plaintiff provided the Court with notice that she does not oppose Defendant's motion. (Dkt. No. 15.) Defendant's counsel has been admitted to the Washington State Bar since 1996 and "continues to practice regularly in state and federal courts in Washington, including a trial in this Court in 2015." (Dkt. No. 11 at 2.) However, he has resided in San Francisco, California, since 2007. (*Id.*)

1 Having reviewed the unopposed motion and the remainder of the record, as well as
2 several comparable instances in which this Court has waived the physical office requirement of
3 Rule 83.1(d)(2)¹, the Court finds and ORDERS that Mr. Guite is EXCUSED from the
4 requirement to maintain a physical office within the District in order to serve as local counsel for
5 Defendant in this case. Accordingly, Mr. Guite may sponsor pro hac vice admissions in this
6 case.

7 Dated this 24th day of January, 2025.



David G. Estudillo
United States District Judge

21
22 ¹ See, e.g., *Atlantic Specialty Ins. Co. v. Lexington Ins. Co.*, Case No. 2:21-cv-00616, Dkt. No. 99
23 (W.D. Wash. Feb. 8, 2022); *Block Mining, Inc. v. Hostin Source, LLC*, Case No. 2:24-cv-00319-
24 JLR, Dkt. No. 23 (W.D. Wash. March 26, 2024); *Evitt v. Experian Info. Sols. Inc.*, Case No. 3:23-
cv-05294-LK, Dkt. No. 57 (W.D. Wash. March 14, 2024); *Amazon.com, Inc. v. Moyer*, Case No.
2:19-cv-01176, Dkt. No. 10 (W.D. Wash. Aug. 5, 2019).